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LABOUR & EMPLOYEES STATE INSURANCE DEPARTMENT

NOTIFICATION

The 31st January 2014

No. 806—IR(ID)-37/2013-LESI.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 20th December 2013 in Industrial Dispute Case No. 33 of 2013 of the Presiding Officer, Labour Court, Sambalpur, to whom the industrial dispute between the Management of M/s Shakti Rail Infra Ltd., Chikatmati, Dist. Sundargarh and their Workman Shri Sasmir Pattnaik was referred to for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE COURT OF THE PRESIDING OFFICER, LABOUR COURT, SAMBALPUR

INDUSTRIAL DISPUTE CASE NO. 33 OF 2013

Dated the 20th December 2013

Present :

Shri Srikanta Mishra, LL.M.,
Presiding Officer,
Labour Court,
Sambalpur.

Between :

The Management of
M/s Shakti Rail Infra Ltd.,
Chikatmati, Kakunga,
Dist. Sundargarh.

. . . First Party—Management

And

Their Workman
Shri Sasmir Pattnaik,
S/o Shri Narendra Pattanaik
At Inchinda, P.O. Rairangpur,
Dist. Mayurbhanj.

. . . Second Party—Workman

Appearances :

None	. . For the First Party—Management
None	. . For the Second Party—Workman

AWARD

1. This award arises out of a reference made by the Government of Odisha, Labour & E.S.I. Department under the power conferred by sub-section (5) of Section 12, read with Clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) (for short the "Act") vide Order under Memo. No. 6117(5), dated the 3rd July 2013. The dispute involved under the Schedule of reference is as follows :

"Whether the action of the management of M/s Shakti Rail Infra Ltd., Sona Nuagaon, Chikatmati, Sundargarh in terminating the service of Shri Sasmir Pattnak by way of refusal of employment from service with effect from the 1st June 2012 is legal and/or justified ? If not, what relief Shri Pattnaik is entitled to ?"

2. The second party workman did not turn up in response to the notification of the Government. Notices were issued to him from this Court by ordinary post in his permanent and present address separately but he did not respond to the same. A Registered Post notice was also sent to him in his present address which returned undelivered with Postal remark "Addressee long absent". Since the workman has neither appeared in Court nor sent his statement of claim despite sincere steps taken, I am of the considered view that he is not interested to prosecute the case.

3. In the above circumstances, I am inclined to pass a No Dispute Award in so far as the reference is concerned.

Dictated and corrected by me.

SRIKANTA MISHRA
20-12-2013
Presiding Officer
Labour Court, Sambalpur.

SRIKANTA MISHRA
20-12-2013
Presiding Officer
Labour Court, Sambalpur.

By order of the Governor
N. BEHERA
Under-Secretary to Government